CONFIDENTIAL

5639 19 57-58

File No. 53/48

DEPARTMENT 1064 Revl (T) dt. 28/2/57

BRANCH

Subject:-

Construction of Cinema, Theatre

B Class
Karnataka Region

B Class
Karnataka

Rev. (T)
To Suptd. III Section

Sanction for original file 2/3

File No. 53/48-Q.-1917-53

Std. Sectt. Slip 24 B e.

Std. Sectt. 78A a.

G.R., G D., No 2408, dated 22-5-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No._____

_____DEPT.

_____BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

G.C.P.—(J) R 168—20,000—9-50

LABOUR & HOUSING DEPARTMENT.
FILE No. 53/48
DATED 10-5-51
SECTION 19164

No. 1945-E

OFFICE OF THE
RATIONING OFFICER (IRON AND STEEL),
MILITARY HUTMENTS, ESPLANADE MAIDAN,
BOMBAY 1, 9th April/May, 1951.

FROM

THE RATIONING OFFICER (IRON AND STEEL),
BOMBAY

To.-

The District Magistrate &
The Controller of Buildings,
Kanara, Karwar.

Subject:- Construction of Cinema Theatres at Bhatkal.

Sir,

I am to forward herewith a report No. BS/10/Cin/73 of 51, dated the 6th February, 1951, from the Overseer, I/c. Building Materials, Sub-Office, Belgaum of this office in respect of the two new cinema theatres in your district for such action as may be deemed proper under the Bombay Building (Control on Erection) Act 1948, as amended by Bombay Act No. IV of 1950.

Encl:- Report No:
BS/10/Cin/73 of 51
dt 6/2/51

Yours faithfully,

Rationing Officer (Iron & Steel).

Copy with a copy of the report forwarded with compliments for favour of information to Government in the Labour and Housing Department.

Encl:- Copy of Report No:
BS/10/Cin/73 of 51
dt 6/2/51

PSG/20/4.

opy "

No.BS/10/CIN/73 of 51.
Office of the Overseer,
i/c Building Materials, Sub-Office,
380 Thalakwadi, Belgaum.
Dated: 6th February 1951.

The Supervisor,
i/c Building Materials, Poona.

Sub:- Construction of Cinema Theatres at Bhatkal, North Kanara.

Sir,

It has been reported by the inspector of this office that there is one Cinema Theatre newly constructed and one being constructed at Bhatkal. The details of which are as follows:-

1 Theatre know as Prem Talkies which is said to be constructed by the end of July 1950. The name of the proprietor is Shri ... Bapu Rao ...ji, Land lord, Bhatkal. The party had used G.I. Sheets for the two wings of the thearte. The ~~xx~~ new sheets are seen painted in Dark Red colour. The other details such as permission of construction etc. could not be obtained.

2. The other Theatre known as Laxmi Talkies is under construction. The work is almost completed except the two side varandahs. Painting and plastering is in progress. The construction of the pillars of the main ~~xxxx~~ building is done in Latrite stone and cement. The cement was seen being used for the plastering and the centre portion of the seating accommodation was being done in cement concrete work. There are cement sheets used for the roofing of the central portion of the main theatre building and G.I. sheets for roofing both the side wings. ~~EE~~ G.I. sheets Nos. 84x10' & 84 pieces x 3' are used for the roofing. 10 Sheets are used for the ceiling of the operators room. All the sheets ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ have been coloured in Dark Red. It is learnt that almost all the sheets were new sheets. Out of the sheets used for the construction 25 Nos. ~~xx~~ are received on permit from the District Magistrate, Kanara for the said work. The sheets were released by the D.M. Kanara, in favour of Shri S.V. Prabhu of Bhatkal. The name of the Managing Director of the Laxmi Talkies is M/s V.N. Naik and Sons, General Merchants, Bhatkal. The plans have been approved by the Executive Engineer Kanara Division, under his No. Plan 23/DE, dated 7-11-50. The proposed site has been made Non-agricultural only for the building to be erected for the purpose of Cinema Theatre by the Prant Officer, S.D. Kanara, Under his No. 73/V/345, dated 17-7-50.

Yours faithfully,

Sd/- x x x
M.P. Mulye.
Overseer,
I/C Building Materials,

~~Adxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

Advance copy forwarded with respects to the Dy. Controller (Iron & Steel), Bombay for favour of information and necessary under intimation to this office. The sites will be visited if necessary and detailed report will be sent to you.

Pl. see letter dt. 9/5/57 from R.O. (D & S)
addressed to the C.S.P. Kanara

We may await further report from the
C.S.P. Kanara.

19/5/57

U for Col's Remarks.

22/5/57.

A.S

No. 53/48/1916H-F
L. & H. D.

B.C. 25th. May 1951.

Subject: Construction of Cinema Theatres at Bhatkal

F/C

The u.s.f.c. to the D.M. and Controller of Building, Kanara, Karwar and with ref. to letter 1945-E. dt 9/5/51 from the R.O. (Iron & Steel) Bombay addressed to him is directed to request him to favour Govt. with his remarks in the matter.

Issued - 25/5/51

By Order etc.

24/5/51.

For Sec etc ...

Lds. 22/5/51 24

Issued - 1951

Lds. J.

Dir

Letter.

To

The Secretary to Government,
Labour and Housing Department, Bombay.

No.0/8018. Karwar, 12-7-1951.

Subject :- Construction of Cinema Theatres at Bhatkal.

Reference : Government endorsement, Labour and Housing Dept.No.53/48/19164-F, dated 25-5-1951.

I am awaiting the information from the Executive Engineer, Kanara whom I have separately expedited to-day. I will submit my report in the matter immediat eipt of the information from the Executive Engineer.

for District Magistrate and Controller of Buildings, Kanara.

3736

LABOUR & HOUSING DEPARTMENT.
FILE NO. 53/48
F DATED 16-7-51
SERIAL NO. 29150

This may await till 15/8/51

24/7/51

23/7/51

Letter.

To

The Secretary to Government,
Labour and Housing Department, Bombay.

FILE NO. 53/48
DATED 23 85
SERIAL NO. 3 4877
SECRET JA
2418.

No.O/8018. Karwar, 20-8-1951.

Subject :- Construction of cinema theatres at Bhatkal.

Reference : Government Memorandum, L.& H.Department, No.53/48/19164, dated 25-5-1951.

The Prem Talkies, Bhatkal and Laxmi Talkies, Bhatkal have not obtained permission from the District Magistrate as required by the Bombay Building (Control on Erection) Act, 1948 before constructing the theatres. The Executive Engineer, Kanara states that both the theatres have not used any valuable materials other than those which are commonly used in the construction of cinema theatres except some small quantities of cement and iron. Copies of Executive Engineer's letters No. Kan.23/CB, dated 29-3-1951 and 12-7-1951 are enclosed.

In the circumstances orders are solicited whether the proprietors should be prosecuted for infringing the provisions of the Bombay Building (Control on Erection) Act, 1948.

Vide Government Circular, Labour and Housing Department No. 53/48, dated 12-10-1950 :

o.c. signed
by the D.M.

for Dist. Magistrate, Kanara.
P.A.

Copy of letter No.Kan.23/CB of 29-3-1951 from the X.N.Kanara.

Prem Talkies, Bhatkal.

The proprietor of the ~~xxx~~ concern informed this office on 13-3-50 that the building was completed. It was inspected by the S.D.O.Kumta on 16-4-50 when the work was still in progress. It was again inspected by him on 17-5-50 when it was completed in September 1950. So the date of completion may be taken as between 16-4-50 and 23-9-50.

except subsidiary buildings which were completed

Laxmi Talkies, Bhatkal.

The building was inspected by the S.D.O.Kumta on 20-1-51 when it was completed except the verandah and hence a certificate for a temporary structure was issued. Proprietors have not yet applied for a fitness certificate for a permanent structure.

No valuable materials other than those that are commonly used in the construction of a cinema theatre have been used, in the construction of the Laxmi Talkies, Bhatkal. ~~Asxregxrdsxthe remaining xtwoxxinformationxxisxbeing~~

S.D.O.Kumta on 16-4-50 when the ~~[illegible]~~ was again inspected by him on 17-5-50 when it was ~~completed~~ September 1950. So the date of completion may be taken as between 16-4-50 and 23-9-50.

Laxmi Talkies, Bhatkal.

The building was inspected by the S.D.O.Kumta on 20-1-51 when it was completed except the verandah and hence a certificate for a temporary structure was issued. Proprietors have not yet applied for a fitness certificate for a permanent structure.

x x x x

No valuable materials other than those that are commonly used in the construction of a cinema theatre have been used, in the construction of the Laxmi Talkies, Bhatkal. ~~[illegible]~~ x x x

Copy of letter No.Kan.23/CB of 29-3-1951 from the X.N.Kanara.

Prem Talkies, Bhatkal.

The proprietor of the ~~xxx~~ concern informed this office on 13-3-50 that the building was completed. It was inspected by the S.D.O.Kumta on 16-4-50 when the work was still in progress. It was again inspected by him on 17-5-50 when it was completed (except subsidiary buildings which were completed) in September 1950. So the date of completion may be taken as between 16-4-50 and 23-9-50.

Laxmi Talkies, Bhatkal.

The building was inspected by the S.D.O.Kumta on 20-1-51 when it was completed except the verandah and hence a certificate for a temporary structure was issued. Proprietors have not yet applied for a fitness certificate for a permanent structure.

x x x x

No valuable materials other than those that are commonly used in the construction of a cinema theatre have been used, in the construction of the Laxmi Talkies, Bhatkal. ~~As regards the remaining items of information it is being~~ x x x

Copy of letter No.Kan.23/CB of 12-7-1951 from the X.N.Kanara.

Inspection of the buildings of Jyoti Talkies, Honavar and Prem Talkies, Bhatkal now show that no valuable materials other than those which are ~~xxxxxxx~~ commonly used in the construction of cinema theatres, have been used in both these cases except some small quantities of cement and iron wherever found necessary.

Two cinema theatres have been constructed at Bhathal, viz the Prem Talkies and the Laxmi Talkies. Specified building materials have been used in the construction of the theatres without the prior permission of Govt. as required under the Building Control Act, 1948.

2. The D.M.'s report P9 does not say very clearly what quantities of cement and iron have been used in the two buildings. In fact, the report of the Overseer S/c. Building Materials, Belgaum, who first reported these two cases, is more revealing, at-least in the case of the Laxmi Talkies. In this building (Laxmi Talkies), cement, cement sheets and G. I. sheets have been used. It also appears from the Overseer's P3 report, that the D.M. N. Kanara, knew about the use of these materials.

3. There is no doubt that there is a breach of the Building Control Act. However, before we decide whether or not the parties should be prosecuted we may perhaps ascertain the gravity of the offence. We may ask the D.M. to state what quantities of Specified building materials, such as bricks, iron, steel, cement & asbestos cement sheets, have been used by

Two cinema theatres have been constructed at Bhathal, viz the New Talkies and the Laxmi Talkies. Specified building materials have been used in the construction of the theatres without the prior permission of Govt. as required under the Building Control Act, 1948.

2. The D.M.'s report P9 does not say very clearly what quantities of cement and iron have been used in the two buildings. In fact, the report of the Overseer I/c. Building Materials, Belgaum, who first reported these two cases P3, is more revealing, at least in the case of the Laxmi Talkies. In this building (Laxmi Talkies), cement, cement sheets and G. I. sheets have been used. It also appears from the ~~D~~ Overseer's P5 report, that the D.M. N. Kanara, knew about the use of these materials.

3. There is no doubt that there is a breach of the Building Control Act. However, before we decide whether or not the parties should be prosecuted we may perhaps ascertain the gravity of the offence. We may ask the D.M. to state what quantities of specified building materials, such as bricks, iron, steel, cement & asbestos cement sheets, have been used by

the parties, and from what source the parties required these building materials

28/8/57 — 29/8/15

A. S. C. Shri, DJ

Secretary

Confidential

17

~~Confd~~

No. 53/48/34877-Z.

L. & H. D.

S.C. 7th Sept. 1951

Subject: Construction of cinema theatres at Bhathal.

The u.s.p.c. to the D.M. ~~Kanara~~ cum Controller of Buildings, Kanara and with ref. to his No. C/8018 dated the 20th Aug. 51, is directed to request him to state in detail with what specific materials the Prem Talkies and the Laxmi Talkies have been constructed and the quantities of the materials so used. The source from which the parties acquired these materials should also be stated.

By Order etc...

1/9/51

1/9/1951.

For Sec etc —

L. & H.)

1/9/51

Reminder 11/10/51

Issued 5/11/51

Secret. LETTER.

19

To

The District Superintendent of Police,
Kanara.

Subject:- Difficulties experienced in granting licenses to cinema theatres in the Karwar District.

No. 2922/5/K-Poll. Dated the 3rd October 1951.

Reference your letter No. 238, dated the 3rd February 1951, on the subject noted above.

2. Government is of the opinion that the two theatres, viz. Chitra Mandir, and Sagar Chitra Mandir, functioning from 1946 and 1949 respectively, at Sirsi should be allowed to continue at that place since the orders contained in Government Letter, Home Department (Political), No. 2922/5/45576-Poll, dated the 6th November 1950 cannot be given retrospective effect.

3. As regards the two theatres at Ankola, Government has agreed with the action taken by you in asking the Proprietor of the Anandashram Touring Talkies to shift from Ankola as it is a touring talkie, and has informed the Proprietor that Government has no power to interfere with the orders passed by the District Superintendent of Police, Kanara. Government has accepted the recommendation made by the District Magistrate, Kanara to grant licences to the Proprietor of the Hind Talkies at Ankola and to permit him to run it as a quasi-permanent theatre.

4. Government is not in favour of the licences being granted to the Jyoti Talkies at Honavar as the building was put up without first obtaining the permission of the District Magistrate, Kanara, and the site of the theatre is not suitable, being very near the school and in the heart of the City, and also as the population of the town is less than the maximum prescribed by Government.

5. The question of the prosecution of the Proprietors of the Prem and Laxmi Talkies at Bhatkal for breaches of the provisions of the Bombay Building (Control on Erection) Act, 1948, is under the consideration of Government in the Labour and Housing Department.

A/1

6. As regards your proposal to extend the provisions of the Entertainment Duty Act to the important towns and villages of ~~Karwar~~ Kanara District, I am to state that Government in the Revenue Department has already issued necessary orders in the matter.

LABOUR & HOUSING DEPARTMENT.
FILE NO. 5-31/48
DATED 4-10-51
SERIAL NO. 4095-41 Secret.

V.T.Dehejia
Under Secretary to the Government of Bombay,
Home Department.

No. 2922/5-K-Poll.
Home Department (Political).
Bombay Castle, 3rd October 1951.

Copies forwarded with compliments to :-

The District Magistrate, Kanara,
The Inspector General of Police, State of Bombay, Poona,
The Labour and Housing Department,
The Revenue Department.

By order of the Governor of Bombay,

Under Secretary to the Government of Bombay
Home Department.

Orders issued after consultation with the L & H Department
Notes remain with this Department and can be seen when required.

L + H. D
7.

Submitted for information.

As regards A. on pre. page, please
See our letter of 7/9/51 to the D. of L. p 17
The reminder may issue

10/10/51.

10/10/51.

15/11

7/11/51.

Confidential. Letter.

6723

LABOUR & HOUSING DEPARTMENT.
PILE NO. P-2225-3/48
F. A. DATED 5-11-51
SERIAL NO. W-128

To

The Secretary to Government,
Labour and Housing Department, Bombay.

No. [illegible]/8018. Karwar, 5-11-1951.

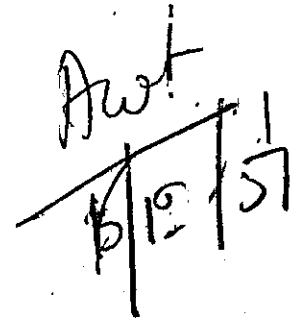
Subject :- Construction of cinema theatre at Bhatkal.

Ref:- G.M.,L.& H.D.No.53/48/34877-F, dated 7-9-1951.

The information is yet awaited from the Executive Engineer, Kanara. I will submit my report soon after its receipt from the Executive Engineer, Kanara.

Addl.Dist.Magistrate, Kanara.

Submitted for information.
This may await until 15/12/51



No. 53/ce8/45728-7
Labour and Housing Department,
Bombay Castle, 22-12-5

Subject:- Construction of cinema theatre at Batta

MEMORANDUM.

The undersigned presents compliments to the D. M. Cinema Controller of Bldgs., Kanara and with reference to his No. 0/8018 dated the 5/11/55 is directed to request him to expedite his reply.

By order of the Governor of Bombay,

S/C Arg/12/51.

For Secretary to the Government of Bombay,
Labour and Housing Department.

Ans - 24/12/55
Received
22-12-5

Confl.

To

Letter.

25

The Secretary to Government,
Labour and Housing Department, Bombay.

LABOUR & HOUSING DEPARTMENT
FILE NO. S-3/48
DATED 22/1/52
SERIAL NO. 2460

303 18.

Karwar, 18 -1-1952.

Subject :- Construction of Cinema theatres at Bhatkal.

Ref:- G.L.,L.& H.D.No.53/48/34877-F, dated 7-9-1951.

I enclose herewith a copy of the report No.Kar 23(confl), dated 24-12-51 from the Executive Engineer, Kanara which gives details about the materials used for tl construction of the theatre at Bhatkal.

o.c.signed
by the D.L.

for Dist.Magistrate,Kanara

Copy of letter No.Kan.23/Confl, dated 24-12-51 from the Executive Engineer, Kanara.

In order to ascertain the quantity of cement, steel and such other materials used in the construction of a building it is necessary to know the various items in which it is used and the proportion of cement and steel etc. in these items. As the cinema theatres were constructed by private bodies and supervised by their own staff, there was no occasion for the P.W.D.Officers and subordinates to supervise them throughout their construction and know these details. Under the circumstances the nature and proportion of building materials used and their sources can only be estimated approximately on the basis of the inspection of the completed building and the information available from the parties themselves and locally, as no correct facts can be given. Moreover cement, steel etc. to private bodies are neither supplied by nor even permits for such materials issued by the P.W.D.

Laxmi Talkies at Bhatkal.

Cement has been used for finishing the floor of part of the auditorium, ticket office, cabin room, urinals and latrines etc. and this is estimated to be about 40 bags only for which the manager says he had a permit from the Revenue Department. No iron has been used except for the usual fixtures and fastenings. No teak wood has been used. Two steel doors have been provided for cabin for safety and to give a good appearance. 160 old G.I.sheets have been used for roof and it is ascertained from the Manager that they were obtained by him from some private persons in Bombay.

Prem Talkies at Bhatkal.

About 70 bags of cement has been used for plastering the part of the floor of auditorium, floor of cabin room, winding room, ticket office, Engine shed, water tank and urinals etc. R.C.C. slab about 4" thick has been laid over the ticket office roof for which cement used is about 25 bags. The Manager says that he had a stock of this quantity of cement. No iron has been used except for the usual fixtures and fastenings. No teak wood has been used. Two steel doors have been provided in the cabin room to give a good appearance. Quantity of steel used for R.C.C. slab cannot now be verified as it is encased in cement concrete. It is however estimated to be about 0.17 tons. G.I. sheets of various sizes (2160 sft. approximately) have been used for purposes of roof etc. and it is ascertained from the Manager that they were obtained by him from some private persons in Bombay.

True copy
for Collector of Kanara.

Submitted with reference to this office note dated 28/8/51. P 15

2. The Laxmi Talkies:- The Ex-Engineers report P 27 shows that 40 bags and 160 G.I. Sheets have been used in the construction. The Overseer Sr. Bldg. Materials, Belgaum had stated in his report P 3 that cement sheets have also been used, but the Ex-Engr's report makes no mention of the specified building. The Overseer also states in his ~~letter~~ report that the C.G.I sheets were released by the D.M. N. Kanara. The D.M. himself makes no mention of this.

3. The Prem Talkies:- 90 bags of cements, 0.17 tons of steel and 2160 Sq.ft. of C.G.I. Sheets have been used in the construction of this cinema theatre.

4 In both cases, the prior permission of the Controller of Buildings was not obtained for the use of specified building materials and there is a breach of the Building Control Act, 1948. As regards the source of acquisition of the materials, it is stated that in both cases

he parties have obtained the materials from
mbay, but beyond that nothing more is
entioned.

It is for orders whether the parties may be
rosecuted.

Prosecution can be considered only after
we know the finality of our appeal with-
the Supreme Court. I think the offence
may not be considered as grave and finally may be condoned.
~~for orders may not be recorded~~ H.D.
may see.
29/1/52.

29/1/52

H.D.

Secretary

Await the result of the appeal
in the Supreme Court.

H.D.
30/1

The Supreme Court appeal has not
yet been decided. L.D. has been asked
separately ~~how~~ what developments have
taken place in the Supreme Court.
This may await upto 1/5/52

H.D.
4/4/52

D.S. 4.52

H.D. (Shri D)

The Supreme Court Appeal has not
yet been decided.
Await 1.6.52.
D.S. 7/5/52

A.M. (Shri D).

Letter.

LABOUR AND HOUSING DEPARTMENT.
53/48
F 6 852
31275

To

The Rationing Officer,
(Iron and Steel), Bombay.

No.O/8018. Karwar, 25-7-1952.

Subject :- Construction of cinema theatre at Bhatkal.

Reference: Your reminder No.3586/E, dated 15-7-52.

No orders have so far been received from Government in this connection. I will send a report in the matter soon after the receipt of orders from Government.

Sd. A.H.B.Tyabji,

Dist.Magistrate,Kanara.

Copy submitted to Government in the Labour and Housing Department, Bombay.

2. Early orders are solicited on my reference No.O/8018, dated 20-8-51.

Dist.Magistrate,Kanara.

The D.H. may be informed that the matter is under the consideration of Govt.

Memo overleaf may issue.

11/8/52

A.S. (Edn P)

11/8/52

No. 53/48/81275 - F.

S(A.) Dept. Bombay 16th Aug. 1952.

Subj:- Cinema theatre at Bhatkal.

The a.s.f.e. to the Dy. Chief Controller of Buildings, Karwar and with reference to his No. 0/5018 dt. the 25/27/7/52 addressed to the R.O. (D.S.) Bombay (by endorsed to this dept.) is directed to state that the matter is under consideration of Govt.

By Order..

Asst. Sec..

ISSUED
Date 16/8/52

11/8/52

17/8/52

20.8.52

Asst.
15/9/52

P. W. D.

4.

Resubmitted with ref. to the noting at p. 30 ante.

2. The Supreme Court appeal has not yet been decided. L. D. has been requested separately to state how the matter stands.

3. Await upto 15/1/52

6-10-52.

6/10/52

6.10.

53/48

HBr

Pro.D

Rendered

2--H-S Shri Chafalkar's appeal is still pending in The Supreme Court. These papers may be kept in "await" for a month.

8/11/52

10-11-52.

~~HS 10~~

1/12

HSR P.W.2

Resubmitted

of the Supreme Court has not yet decided Shri Chaghalbar's appeal these papers may, therefore, be kept in await.

19/12/52 19-12-52.

Sympathy

G.C.P.—(J) R 306—30,000—8-51—X4 (Supr)

No. 36 E

OFFICE OF THE
RATIONING OFFICER (IRON AND STEEL),
MILITARY HUTMENTS, ESPLANADE MAIDAN :
BOMBAY-1, ~~Dec.~~, 195 2.
2nd Jan. 1953.

FROM

THE RATIONING OFFICER (IRON AND STEEL),
BOMBAY ;,

To

The Secretary to the Government of Bombay,
Public Works Department,
Bombay.

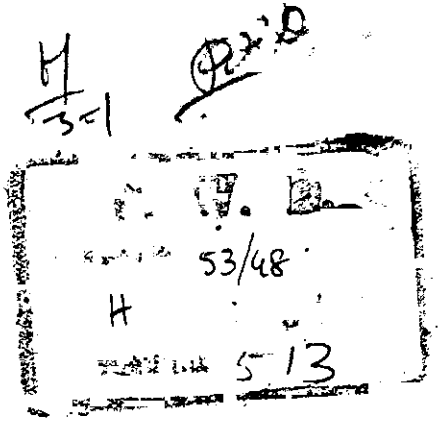
Sub.:- Construction of Cinema Theatres at Bhatkal.

Ref.:- Letter No. O/8018, dated 20.8.51 ~~from~~ from District Magistrate, Kanara.

With reference to the above ~~reference~~ this office may please be informed if any decision has been taken by Government in the matter. If so a copy may please be forwarded to this office. In this connection reference is solicited to this office letter No. 1945-E, dated the 9th May, 1951.

Rationing Officer(Iron & Steel).

GSG/29.12.


53/48
H
5 13

53/48/513

41

HSR

P.W.2.

submitted. 39 ante

29-30 ante

Pl. see. O/N dt. 29-1-52 and Secys note dt. 30/1/52 thereon. The A.D. has informed this Dept. separately that the Supreme Court has not yet decided the Govt's appeal in the Chaphalkar case. The A.G. (HSR), may be informed as per draft put up for approval.

42 ante

6-1-53

31/1/53

6

Y in file BRA 1252

(iv)

53/46/513

42

Letter

No. 53/46/513-H

A.C.O.
B.C. (S'Bay)
6th Jan., 53.

To

The R.D.O. (D.R.S),
K'bam.

Sub:- Condemnation of Cinema Theatres at Bhatkal.

Ref:- Your letter No. 36 F, dt. 39 and 2-1-53.

I am directed to inform you that the matter is still under consideration and the final decision of Govt. in this matter will be communicated to you in due course.

By Order etc.

A.S.T. etc.

ACT 1+ 3-1-53

RECEIVED

53/48/513

43

H&A

P.W.D

Submitted w/s 16 of Mr. Mande dt. the 6-1-53.

x w file BBA 1253/7137

The E.D. has been separately asked to state whether Govt's appeal in the Chaphalbar case has been decided by the Supreme Court. These papers may, therefore, be kept in await till the E.D's reply in the matter is need.

17/2/53

17-2-53

Supdt.

class V

A 1973

G.G.P.—(J) R 540—30,000—2-52—X4 (Supr)

No. 498 E

OFFICE OF THE
RATIONING OFFICER (IRON AND STEEL),
MILITARY HUTMENTS, ESPLANADE MAIDAN :
BOMBAY-1, 23rd Feb., 1953.

FROM

THE RATIONING OFFICER (IRON AND STEEL),
BOMBAY ;

TO

The Secretary to the Government of Bombay,
Public Works Department,
Bombay Castle, Bombay.

Sub.:- Construction of Cinema Theatres at Bhatkal.

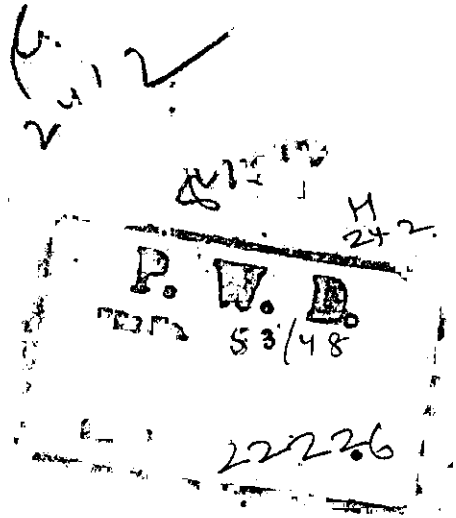
Ref.:- This office letter No. 36-E, dated the 2nd January, 1953.

This office may please be informed if any decision is taken on the subject noted above. If so, a copy may please be forwarded to this office.

23/2

Rationing Officer(Iron & Steel).

GSG/21.2.


P. W. D.
S 3/48
22226

Hon'ble P.W.D.

Submitted for info.

R.O. (Jud.), Srikakulam has already been replied to vide G.O. No. 53/48/513-H dt. the 6-1-53. The A.D. has informed this Dept. separately, in file BBA 1252, that the Supreme Court has not yet decided Gorti's appeal in the Bhupathiraju case. The R.O. (Jud.), Srikakulam may be informed as per draft put up for approval.

28/1/53

28/1/53.

A.S. (II)

53/48/22226

Letter

No. 53/48/22226-H

P.W.D.
B.C. Cos'(hay)
3 Feb., '53.
Mar.

To

The R.O. (S&S), Mahe.

Subj:- Construction of cinema theatre at Chalakal.

Ref:- Your letter No. 498-E dt. the 23-2-53. 45 encl.

Sir, I am directed to state that in your letter No. 36-E dt. the 2-1-53, quoted in your letter under reference, has already been replied to under G.O. No. 53/48/313-H dt. the 6-1-53, a copy of which is enclosed. ~~herewith~~

Supreme Court has not yet decided this Govt's appeal in the Chaphalkar case. Necy. instructions in the matter will be communicated to you later, the same is decided by the Supreme Court.

28/2/53

By Order... etc.

D.A - copy of G.I.'s. resol. No.

A.S. to G.I. dtd 53

Letter.

No.53/48/22226-E.

Public Works Department,
Bombay Castle (Bombay No.1),
3rd March 1953.

To

The Enticming Officer (Iron and Steel). Bombay.

Subject:- Constructing of cinema theatre at Bhatkal.

Reference: Your letter No.498-E, dated the 23rd February 1953.

Sir, I am directed to state that your letter No.36-E, dated the 2nd January 1953, quoted in your letter under reference, has already been replied to under Government Letter No.53/48/513 E, dated the 6th January 1953, a copy of which is enclosed.

Accounts

5/3/53

By order and in the name of the Governor of Bombay,

5/3/53 A/c with I.

Assistant Secretary to the Government of Bombay,
Public Works Department.

D.A.-Copy of G.L.
referred to.

3
3.3.53
3

Class V

A

1/0:53

Gen. 42 e

IMMEDIATE No. 2015-e/53 of 2/7/13

MEMORANDUM.

The undersigned presents compliments to the Asst. Sec. P.W.D.

Reference No.	, dated 19 .
~~Subject~~	P.W.D. letter no. 58/45/
22226-H of 31/12/12	
Sub:- Construction of Cinema theatre at Bhatkal	
Last Reminder No.	19 .

and is directed to invite attention to the communication marginally noted and to request the favour of an early reply.

19 }

S. Chakrapani Rao 1.7.53

Asstt. Controller of Iron and Steel and Cement.

54

Q. I. C. S.

Call No. 53/Mar
77394

53/48/77395

Hon P.W.D.

submitted.

The reference quoted by the Controller of D.R.S. & T., Ahmedabad on page 3 ante is in file 53/48/19164 which is, along with other cinema cases, is under submission of U.S., Secy., M (H) since 29-5-53. The Supreme Court has allowed this Govt.'s appeal in M/s Chaphalkar Bros. case. The cinema cases pending in the dist. have therefore been submitted for orders as to whether the parties concerned should be prosecuted for the breaches of the provisions of the Ahmedabad Bldg. (C. on E) Act, 1948. The Controller may be informed as per draft put up for approval.

10/7/53

dt. 11/7/53

4.5. (TV)

53/48/90729

Hqrs.

W.D.

Pl. see the reminder from Addl.

D.M. Kanara.

Sd/- Pl. see on overleaf. The file in question has not yet been recd. back in this Br. The Addl. D.M., may informed as per draft put up on appln.

16/8/83

17/8/83

A.S. (II)

53/48/77395

Letter

No. 53/48/77395-H

P.W.D
S.C. Calcutta
14th July, '53.

To

The Controller of Iron & Steel & Cement
Calcutta

Subj:- Construction of cinema
theatre at Shalkeal -

Refce:- Your card reminder No. 2015-E
dt. the 2-7-53.

Sir I am directed to state that the
matter is still under consideration

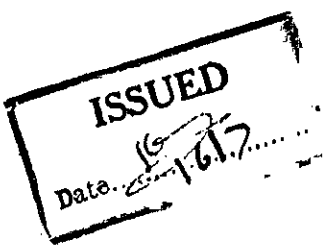
1538

and final Govt's decision in the matter will be communicated to you in due course.

16/7/63

Bye laws etc. Nil

As at Flag A.



102

Secretary

L e t t e r.

To

The Secretary to Government,
Labour and Housing Department, Bombay.

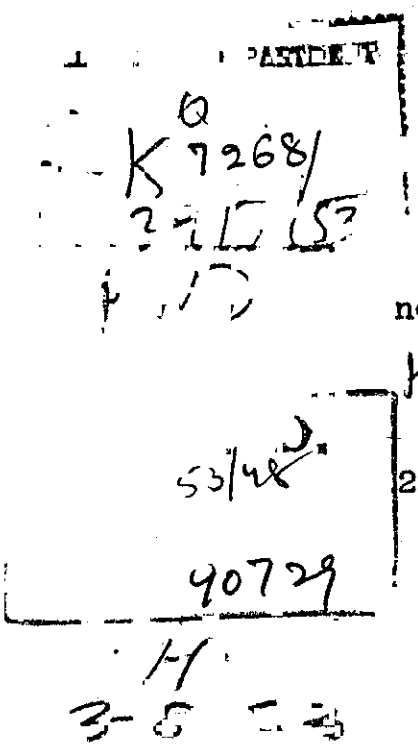
No.0/8018. Karwar, 25-7-1953.

Subject:- Construction of Cinema theatre at Bhatkal.

Reference:- This office letter No.0/8018, dated 20-8-1951.

Kindly move Government to issue at an early date necessary orders in the matter.

Addl. District Magistrate, Kanara.



61 53/48/90729

Letter.

No. 53/48/90729-H

P.W.D.
B.C. Cell, Camp
18th Aug., 53.

To

The Addl. D.M.,
Kamara.

Subj :- Construction of cinema theatre at Shahbad.

Refce :- Your letter No. 0/6018 dt. the 27-7-53.

Sir, I am directed to state that the matter is still under consideration and the Govt's decision in the matter will be communicated to you in due course.

ISSUED
Dated 19 Aug 53

Encl - Nil

Asstt. Engineer, etc.
PS to CE, PWD

Pl. 27

A 109

Cases of Cinema Theatre owners or builders who have committed breaches under the Bombay Building (Control on Erection) Act, 1948.

Srl. No.	File No.	Name of the party and place.	Amount of specified building materials used.	Dates on which construction work was started and completed.	Remarks.	Government Orders.
1	2	3	4	5	6	7
1.	53/48 28354 (Case I)	Shri Ismail Gulab Hussein and Shri Sakarlal Naginlal, Hansot, District Broach.	Exact quantities of cement, iron and Steel etc. used in the Construction of the two cinema theatres are not known from the papers. But cement and second hand C.I.sheets and Iron crusses were used by both the parties in the construction works.	It appears from the D.S.P's report that Shri Ismail Gulab Hussein applied on 30-10-1949 to the District Magistrate for permission to construct a pucca theatre. While the inquiries were going on, Shri Hussein got the theatre constructed without the District Magistrate and the Controller's orders or permission. Shri Sakarlal Naginlal's request to build a permanent cinema house at Hansot was refused by the District Magistrate on 22.2.1950 and yet he got the theatre completed. Exact dates on which construction was ~~completed~~ started and was finished are not known from the papers.	Both the persons constructed permanent Cinema Theatres without obtaining the prior permission of the Controller of Buildings as is required under the Bombay Building (Control on Erection) Act, 1948. It was decided to hold over launching of prosecution against both the persons pending the Supreme Court's Judgement on Government's appeal in the Chaphalkar Brothers case. Both these persons (column 3) may be prosecuted.	May be prosecuted. Id.N.K.D.

2.....

1	2	3	4	5	6	7
2.	i)53/48/4226 ii)53/48/41392 (Case II).	Shri Talaksi Ramji, Dombivli, District Thana.	350 bags of cement 170 a.c. sheets, 50,000 bricks. Exact quantities of iron and steel used in the construction work could not be ascertained as the construction was already completed.	Exact dates of commencement and completing the work are not known from the papers. However, it is certain that the work was completed in 1951 against the District Magistrate's orders to stop the construction work.	Shri Talaksi Ramji had obtained the permission of the Mamlatdar of Kalyan to use a piece of plot for non-agricultural purpose viz. to construct a building. The Mamlatdar had also issued a permit for 100 bags of cement to the party. The party afterwards constructed a cinema theatre on this plot. However, he had not obtained the prior permission of the Controller, as is required under the Act to construct a Cinema Theatre. Shri Talaksi Ramji had committed a clear breach of the Act, it was decided to prosecute him, but the same was to be deferred pending the Supreme Court's Judgement in the matter. The party may now be prosecuted as was previously decided.	May be prosecuted Id.N.K.D.
3.	Ho 2922/5p/32862/33520/34139. (Case III.)	Shri Merchant D.N. Chakan, District Poona	1000 bricks, 5 bags of cement 27 old iron sheets.	Exact dates are not known from these papers. However it appears that the work was completed in 1951.	Though Shri D.N.Merchant was granted a license to conduct a touring talkies at Village Chakan, he constructed a semi-permanent theatre using 1000 bricks, 5 bags of cement and 27 old iron sheets without the prior permission of the Controller. There was thus a breach of the Bombay Building (Control on Erection) Act, 1948. It was decided to launch a prosecution against the party but the same was kept pending till the Supreme Court's decision in the matter. The party had used negligible quantities of cement, bricks and iron-sheets in the construction. He may however, be prosecuted as was previously decided, particularly in view of the District Magistrate's adverse report.	Quantities are small. He had also a licence for a touring talkies. May be let off with a warning Id.N.K.D.

1	2	3	4	5	6	7
4.	53/48/19164 (Case IV).	Owners of Prem Talkies and of Laxmi Talkies, Bhatkal, District Kanara.	90 bags of cement 0.17 tons of steel and 2160 sq.ft. of C.G.I.Sheets in case of Prem Talkies and 40 bags of cement, 160 C.I.Sheets in case of Laxmi talkies.	Exact dates are not known from these papers. The Prem Talkies was completed by the end of July 1950 and Laxmi Talkies was reported to be under construction in 1951.	The owners of Prem Talkies and of Laxmi Talkies had not obtained the prior permission of the Controller of Buildings, as is required under the Act. It was decided to await the result of the Government's appeal in the Supreme Court before considering prosecution of the parties. The parties may be prosecuted.	May be prosecuted. Id.N.K.D.
5.	HD 2322/52 1377 (Case V).	The Proprietors of Bharat Talkies, Jalod District Panch Mahals.	150 C.G.I. sheets only.	The work of converting the touring talkies into a quasi-permanent one was started in the monsoon of 1950 and was completed within 15 to 20 days.	The Proprietor of Bharat Talkies, Jhalod, was granted a license by Government in H.D. for a touring talkies. When the District Magistrate, Panch Mahals, before renewing his license, asked him whether he wished to shift his touring talkies to some other place, he replied that as he had converted his touring talkies into a quasi permanent one, it was not possible for him to shift to some other place. Subsequent enquiries made by the District Magistrate revealed that this quasi-permanent cinema theatre building is a kutchha one with bamboo walls plastered with cow-dung. It also came to light that the building has a roof of C.G.I. Sheets. The party had not obtained the permission of the Controller for converting his touring talkies into a quasi-permanent theatre. He has not used any specified building material except 150 C.G.I.sheets in the conversion of his theatre. The use of 150 C.G.I.sheets by the party without the permission of the Controller in the conversion of the theatre, may be condoned. Home Department may take such action as it deems fit so far as that.....	A In view of A, he may be let off with a warning N.K.D.

1	2	3	4	5	6	
					that Department is concerned regarding license. (The Home Department had proposed not to give licence for the quasi-permanent or permanent theatre).	
6. HD 2942/5/97790 (Case VI).	Shri B.F.Byadgi and others, Ranebennur, District Dharwar.	440 bags of cement 1560 sq.ft. of a.c.sheets.	Exact dates are not known from these papers. But Shri Byadgi and others applied to the District Magistrate on 19-5-1950 for permission to construct a theatre. While the enquiries in the matter were still going on, Shri Byadgi commenced the construction work of the theatre and completed it inspite of the fact that his request was refused by the District Magistrate.	The District Magistrate, Dharwar has stated that Shri Byadgi and others had not taken his prior permission, as the Controller of Buildings, to construct a Cinema Theatre nor for using cement or a.c. sheets in the construction work. In fact, Shri Byadgi completed the construction work of the cinema theatre even though his request was refused by the District Magistrate. The parties have thus violated the provisions of the Bombay Building(Control on Erection) Act, 1948. The District Magistrate may be asked to prosecute the parties for the same.	May be prosecuted. N.K.D.
7. JBA 1353 52495 (Case VII).	Shri A.C. Kittur, Haliyal, District Kanara.	85 bags of cement, 0.87 tons of iron and 80,000 bricks.	Shri Kittur had applied to the District Magistrate for permission to build a cinema theatre on 11.3.1951 His application was turned down on 27-6-1951.	Shri Kittur had used 85 bags of cement, 0.87 tons of iron, 80,000 bricks and a.c. sheets (quantity not known) in the construction of the cinema theatre. His request for permission to build a cinema theatre was refused on the ground that he (Shri Kittur) had already under-taken the construction work without obtaining a 'No objection' certificate. In any case, Shri Kittur completed the construction work of the theatre without the prior permission of the Controller. He has thus committed a breach of the Bombay Build-	May be prosecuted. N.K.D.

1	2	3	4	5	6	7
					Buildings(Control on Erection)Act,1948. He may be prosecuted for the same.	
8. BE. 1352/6457 (Case VIII).	Shri Manibhai Sankarbhai Patel,Timba Road,District Panch Mahals.	Exact quantities of specified buil-ding materials used by the party in converting his semi-permanent theatre into a permanent one are not known from the-se papers.	Exact dates of commencement and completion of the construction work are not known from these papers.However, it appears that the construction work was completed in 1951.		Shri M.S.Patel had converted his semi-permanent cinema theatre into a pucca one without the prior permission of the Controller and had used bricks and C.G. I. Sheets in this conversion. He completed the conversion of his theatre inspite of the fact that his request to erect a pucca theatre was turned down by the District Superintendent of Police, Panch Mahals District.Shri Patel has violated the provisions of the Act and he may be prosecuted for the same.	May be prosecuted. N.K.D.
9. 58/48/20943 (Case IX)	Shri R.S.Boob, Proprietor of the Agasti Chitra Mandir, Akola,District Ahmednagar. Shri D.C.Bang, Proprietor of the Sudarshan Chitra Mandir, Vambori,District Ahmednagar.	300 C.G.I.Sheets, 10 a.c.sheets & 25 bags of cement in case of Agasti Chitra Mandir. 320 C.G.I.sheets, 10,000 bricks, 50 bags of cement, iron 1 ton in case of Sudarshan Chitra Mandir.	Exact dates are not known from these papers. The Agasti Chitra Mandir,Akola, was built in 1949-50 and the Sudarshan Chitra Mandir,Vambori, was built in 1949.		The Proprietors of Agasti Chitra Mandir and of Sudarshan Chitra Mandir had not obtained the prior permission of the Controller of Buildings for using the specified building materials in the cons-truction of their respective theatres. Both of them have thus committed a breach of the Act. It was decided to await the Supreme Court's Judgement before deciding on prosecution in these cases. The parties may now be prosecuted, particularly in view of the large quantities of specified building materials used (namely C.G.I.Sheets).	May be prosecuted. N.K.D.

mm/24.9.53

BBA 1252/50527

P.W.D.

Submitted with reference to this Deptt. U.O.R., dt. the 25-4-1953.

2. The L.D. states that the Government's appeal against Shri Chaphalkar & others has been allowed by the Supreme Court. A copy of the Supreme Court's Judgement in thematter is at p.303-306 ante. In view of 'X' on p.303 ante and of 'Y' on p.306 ante, however, no action requires to be taken against Shri Chaphalkar and others in this case.

3. Please see G.C.,L. & H.D., No.53/48, dated the 12.10.1950 and the papers underlying it. In view of the Supreme Court's Judgement, which is in Government's favour, the D.M.S. may be instructed to proceed with the prosecutions, if any, launched against persons who had constructed cinema houses etc. without a permit under the Bombay Building (C.on E.) Act,1948, in which adjournment was obtained on the ground of the pending appeal. They may also be supplied with a copy of the Supreme Court's Judgement in the matter. Draft G.C., put up for approval may issue.

Yes
Id/- G.S. Padwal.

Yes
Id/-G.S. Padwal.

4. All the pending cases in the Br. in which it was decided to await the Supreme Court's Judgement before deciding on prosecution, are put up for orders. A consolidated statement showing the position of the cases together with office remarks will be found on p.312-316 post. Necessary action on these cases will be taken after the receipt of orders.

In the case of S.N.6 also the proprietors may be prosecuted for not taking permission of the Controller for the use of 150 C.C.I. sheets.
Id/-G.S.Padwal

Margins.

Id/- G.S.Padwal
2/6

I regret the case remained with me long. I have made remarks in the last column of the Statement at pp.312-316. Excepting items 3 and 5 all others may be prosecuted...

prosecuted. Collrs. and Controller should be so informed. They should also be requested t explain to the Courts that the delay in launching action is due to the legal question being finally settled by the Supreme Court only in March 1953. Letters should issue on the several case papers. Circulars at p.309 may also issue.

Id/- N.K.Dravid
9/9/53.

Id/- G.D.Tapase
15/9

VAP

53/48/90729

Hon.

P.W.D.

Resubmitted w/r to my dt. the 2-6-53 and Secy's orders thereunder and approved by M(Housing).

dt- Pl. see s.no. 4 on p. ante. Draft memo for appn. may issue.

2/15/53

1/10

53/48/90729

Telegram

Confidential

NO. 53/48/90729-H

P. W. D.

S. C. Secretariat,
11th Oct., 53.

To

The ~~Addl~~. D. M. & the Controller of Bldgs.,
Kannur.
~~Dear Sir~~

Subj:- Construction of cinema theatres at Thalassery.

Refce:- G.O., P.W.D., NO. 53/48/90729-H dt. the 18-8-53.

I am directed to state that as the Proprietors of Prem Talkies and of Laxmi Talkies, Thalassery, had not obtained the prior permission of the Controller of Bldgs. as is required under the Malabar Bldg. (Control) Act, 1945, for the construction of their respective theatres, it has been decided to prosecute them for committing the breach of the above-mentioned Act. I am, therefore, to request you to take necessary steps accordingly in the matter. I am also to request you to explain to the Court that the delay in launching action is due to the legal question being finally settled by the Supreme Court only in March 1953.

29/9/53

By Order etc.,

S.A. - Nil

AS 15/10/53

P. T. O.

Copy forwarded

the H.D.

the Controller of D. & S. & G. & the

Controller of Hdqrs., B'kay,

for info.

3/10/63

CA

(Gen. 42 a)

No. 2680-E

MEMORANDUM.

The undersigned presents compliments to the Asst. Secretary Govt. of Bihar P.W.D and is directed to invite attention to the communication marginally noted and to request the favour of an early action/reply.

Reference No. letter, dated 14/7/1953
Subject— your No. 53/48/77395-H
Construction of Cinema Theatre at Bhatkal

Last Reminder No. 2015-E dt 2/7/1953

7th Sept. 1953
16 Sept. 1953

S. Chalapathi Rao
Asstt. Controller of Iron and Steel

O. L. C. S.

P. W. D.

~~R/F 53~~
53/48

Serial No. 10985

CONFIDENTIAL.

No.2884-E

Office of the
Controller of Iron and Steel and Cement,
Military Hutments, Esplanade Maidan,
Fort: Bombay(1) 10 October, 1953.

To

The District Magistrate and the
Controller of Buildings,
K a n a r a.

Subject:- Construction of cinema theatres at Bhatkal.

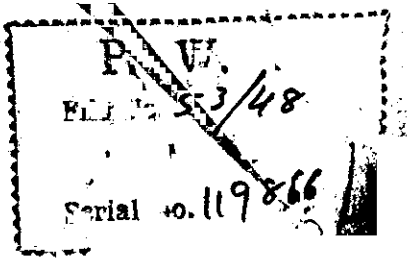
Reference Government Confidential letter, Public Works Department No.53/48/90729-H dated the 1st October, 1953, on the above subject.

The proprietors of Prem Talkies and of Laxmi Talkies Bhatkal may in addition to the breach of the Bombay Building (Control on Erection) Act, 1948, be prosecuted for breach of the Labour and Housing Department Order No. 1809/46-E dated the 22nd June 1950 for not obtaining the previous permission of the Rationing Officer (Iron and Steel) Bombay for use of Iron and Steel in their constructions.

Controller of Iron and Steel and Cement,
B o m b a y.

Copy forwarded with compliments to the Public Works Department for information.

P.8/10.


Serial No. 119866

79

53/48/119866
109685

H&R.

P.W.D.

1975-77 ante
submitted by mfrs.

Secy to Govt. of Bihar.

19/11/53

Sec C

A.S. (III)

24/11/53

24/11

C.A.C.

Inhaling

53/48/9072

P. P. 84.

Acknowledgment.

(*To be returned to office of posting for delivery to sender.*)

Received a registered * letter No.

addressed to (name) The District Magistrate, &
the Controller of Buildings

† Insured for Rs. Kanara

† Weighing *(in words)* Karwar. tola rati

Signature of addressee Clerk to

Date of delivery 8/10/43 19

* Write here "letter" "post-card" "packet," or "parcel" as the case may be preceded by the word "insured" if the article is insured.

† To be filled up only in the case of insured articles, and to be scored out in the case of other articles.

Caxton Press, Madras—P.O. No. 4317/A290 dated 22-8-38—75 Books.—P.31.

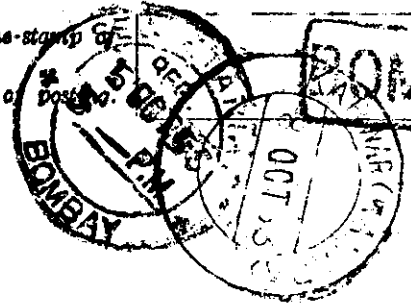
On Postal Service.

To

Sender's name and address. Asst. Secretary to Government. Public Works ... Bombay

Name-stamp of office of posting. BOMBAY

Serial No. 119750



Labour and Housing Department,
Bombay Castle,
22nd June 1950

O R D E R.

Essential Supplies Temporary Powers) ct, 1946.

No. 1809/46-E.- In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946(XXIV of 1946), read with the Government of India, Ministry of Industry and Supply Notifications No. 1(1)-4(20), dated the 28th December 1949 and No.1(1)-4(20), dated the 31st January 1950, the Government of Bombay is pleased to make the following Order, namely:-

No person shall use iron or steel in the erection or re-erection of a building intended to be used for the purposes of a cinema, theatre or any other place of amusement at any place in the State of Bombay, except under and in accordance with the conditions of a written permission issued by the Rationing Officer (Iron and Steel), Bombay;

Provided that this Order shall not apply to -

(a) the use of iron or steel for doors, windows and fastenings;

(b) use of iron and steel for repairing a dilapidated part of a building used for the purpose of a cinema theatre or as a place of amusement, not involving re-erection of the whole building or, in the case of a storeyed building, of a whole storey.

(c) nails, screws, bolts, nuts and rivets and other article required for erection or re-erection of such building.

Explanation:-

"Erection or re-erection of a building" in this Order shall include such alterations to, enlargements of, or additions to a building as result in the increase in the existing plinth area or roof area or in the total height of the building.

By order of the Governor of Bombay,

J.R.DHURANDHAR,
Secretary to Government,

utd.
12/4/51.